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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

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9 ARTURO TORRES OCHOA,

10 Plaintiff,

11 vs.

12 M. FERREL, et al.,

13 Defendants.

Case No. 3:13-cv-00652-RCJ-VPC

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ORDER

15 Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections, has
16 submitted a civil rights complaint pursuant to 42 U.S.C. § 1983. Plaintiff has not submitted an
17 application to proceed in forma pauperis. However, on at least three occasions this court has
18 dismissed actions commenced by plaintiff while he was a prisoner because they were frivolous or
19 malicious or because they failed to state a claim upon which relief can be granted.¹ Plaintiff cannot
20 proceed in forma pauperis in this action unless he is in imminent danger of serious physical injury.
21 See 28 U.S.C. § 1915(g). Plaintiff has not alleged, and the subject matter of this action does not
22 indicate, that he is in imminent danger of serious physical injury. Plaintiff must pre-pay the filing
23 fee in full.

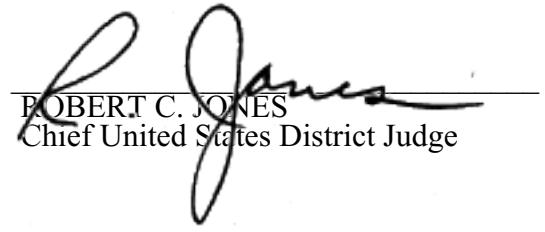
24 IT IS THEREFORE ORDERED that plaintiff shall pay the full filing fee of three hundred
25 fifty dollars (\$350.00) within thirty days of the date that this order is entered. Failure to comply
26 with this order will result in the dismissal of this action.

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28 ¹See Ochoa v. Cook, 3:02-cv-00450-DWH-RAM; Ochoa v. Willis, 3:02-cv-00545-ECR-
VPC; Ochoa v. Putter, 3:10-cv-00364-HDM-RAM.

1 IT IS FURTHER ORDERED that the clerk of the court shall provide plaintiff with two
2 copies of this order. Plaintiff is ordered to make the necessary arrangements to have one copy of
3 this order attached to the check in the amount of the designated fee.

4 Dated: This 4th day of December, 2013.

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6 ROBERT C. JONES
7 Chief United States District Judge
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